

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70044 of 2023

Arising Out of PS. Case No.-502 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. VIJAY KUMAR Son of Shri Sheo Naryan Prasad @ Shiv Narayan Prasad Chandravanshi Resident of Village-Kajipura, Police Station-Sasaram (T), District-Rohtas at Sasaram.
 2. VIKASH KUMAR Son of Upendra Ram Resident of Village-Banjari Station, Near of Durga Mandir, Police Station-Rohtas, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chandan Kumar Son of Krishn Prasad Gond Resident of Mohalla-Kajipura, Police Station-Sasaram (T), District-Rohtas at Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghunandan Kumar Singh, Advocate
For the O.P. NO. 2	:	Mr. Sadanand Rai, Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 07-03-2024 Heard Mr. Raghunandan Kumar Singh, learned counsel for the petitioners, Mr. Sadanand Rai, learned counsel appearing on behalf of the Opposite Party No. 2 and Mr. Binod Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest connection with Complaint Case No. 502 of 2021, dated 05.08.2021 registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.



3. Allegation against the petitioners is of taking money by cheating and dishonestly regarding Government job in Railway Department.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioners have not committed any offence as alleged in the complaint petition and even the petitioners have not received any amount from the complainant. He further submits that from perusal of the statement of the complainant which was recorded under Section 200 of the Cr. P.C. before the learned Court below it appears that the complainant stated that he has deposited Rs. 2,50,000/- in the account of co-accused person namely Amit Kumar and learned counsel for the Complainant is not in a position to inform this Court that on which date the complainant had given the amount to the petitioners.

5. Learned counsel for the Complainant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sasaram, Rohtas in connection with Complaint Case No. 502 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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